

COMMISSION MEETING MINUTES
August 13, 2013

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, Farmington, Utah on August 13 at 10:00 a.m. Members present were Chairman John Petroff Jr., Commissioner Louenda H. Downs, Commissioner P. Bret Millburn, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil Attorney Bill McGuire, and Deputy Clerk/Auditor Linda May.

Marlin Eldred, Davis County Community and Economic Development Office, led the Pledge of Allegiance. All were invited to stand and join in.

Alli Barnes, Davis County Legacy Events Center Fair Coordinator, apologized their system is down and so was unable to return materials for a presentation today. Alli had on a fair shirt spotlighting the elephant encounter. The elephants are arriving at the Legacy Events Center at 10:30 am. The fair will run from August 14 – 17. The Elephant Encounter will give people an up close and personal encounter with the world’s largest land animals. Three educational and entertaining shows per day will be offered. Elephant rides will also be available. She reviewed many of the attractions scheduled for during the fair. Please come join in all the fun.

Alli Barnes presented the following two summary lists and one agreement:

Summary list #2013-439 for vendors who will participate at the 2013 Fair (receivable).
Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. The complete list is on file in the office of the Davis County Clerk/Auditor.

Summary list #2013-440 for entertainment/service provider for the 2013 Fair (payable).
Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The complete list is on file in the office of the Davis County Clerk/Auditor.

Agreement #2013-441 with Zions Bank. They will provide a sponsorship for the 2013 Davis County Fair in the amount of \$1,000.00. They will be the title sponsor of the cash cow where kids chase after the cow in an attempt to grab money off the cow. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document on file in the office of the Davis County Clerk/Auditor.

Susan Burton, Davis County Children’s Justice Center, presented amendment #2013-104A with the Utah Office of Crime Victim Reparations for the grant they sent in for the VOCA grant for Victim’s Service Coordinator. The State of Utah said the amount needed to be corrected by \$1.00 and on page 6 & 8 the word “services” needed to be added. Commissioner Downs made a motion to approve the changes. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Greg Johnson, Davis County Planning Office, presented agreement #2013-442 with Centerville City. As a sub-grantee for the Community Development Block Grant program the city will receive \$50,000.00. It is to fund storm water drainage improvements to driveways located in the Riviera Townhomes located at 820 South Main Street, Centerville for the benefit of low to moderate income residents living in the development. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document on file in the office of the Davis County Clerk/Auditor.

Upcoming
2013 Fair
Highlights

Summary List
of Fair Vendors
#2013-439

Summary List
#2013-440
Fair
Entertainment

Agreement
#2013-441
Zions Bank
Fair Sponsor

Amendment
#2013-104A
VOCA grant
corrections

Agreement
#2013-442 with
Centerville
City – CDBG
for Riviera
Townhomes

Resolution #2013-443 with RDA of Centerville for development along Barnard Creek

Marlin Eldred, Davis County Community and Economic Development Office, presented resolution #2013-443 with the Redevelopment Agency of Centerville for a CDA. The total project area is 106.9 parcel acres. It is between Davis County and the Redevelopment Agency of Centerville to allow the agency to enter into an agreement (Exhibit A) that would enable them to draw down new tax dollars for the purpose of generating economic development along Barnard Creek just north of the existing industrial park. The agency is requesting 75% of the new taxes to be used to spur economic development over a 20 year period. Taxes will be used for infrastructure improvements (i.e. water, sewer, gas, electric upgrades, sidewalk, curb and gutter,) property acquisition, and business incentives.

Commissioner Downs stated it would be good to reiterate that CDA’s give a much greater opportunity to get a return on investments than an RDA.

Blaine Lutz, Centerville City Manager, stated the request is in keeping with the city general plan and will hopefully redevelop the current industrial park and help foster jobs.

Commissioner Millburn inquired about the time frame. The agreement indicates 20 years (paragraph 5). (Paragraph 6) The County shall remit to the Agency, beginning with property tax receipts in Year One, and continuing through Year Twenty, or until the total value of tax increment collected by the Agency reaches \$4,402,272, or 75% of the annual Tax Increment generated from the Project Area. The remaining 25% portion of the Tax Increment will remain with the County.

Chairman Petroff asked if there was a housing component. The answer from Blaine Lutz was “no”.

Commissioner Downs made a motion to approve the resolution. Commissioner Millburn seconded the motion. All voted aye.

Commissioner Millburn made a motion to approved the agreement (Exhibit A) to receive the new tax. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Amendment #2009-16A with Utah Div. of Forestry, Fire & State Lands for staffing of Type 6 Engine for Wildland Fire Incidents

Dave Vickers, Wasatch Front Fire Management Officer, presented amendment #2009-16A with the Utah Division of Forestry, Fire & State Lands. The document provides guidance in staffing pertaining to the State owned Type 6 Engine. The agreement provides a mechanism for the use of the engine by non-state/agency fire personnel on wildland fire incidents for the purpose of establishing and maintaining a cooperative program for wildland fire protection. Robert Sanders, Fire Warden, is certified and will be the supervisor for the engine which will be housed at the Farmington Fire Station. Non-state fire personnel operating state owned vehicles must complete the Department of Natural Resources Operator ID Form and complete the online Defensive Driver Training. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Event Permit #2013-444 to Rooster’s Brewing for Balloon Festival @ Antelope Island

Chairman Petroff presented the single event permit #2013-444 for Rooster’s Brewing Co. The business needs to receive local consent for the Balloon Stampede to be held at Antelope Island from August 30 – September 1, 2013. The event permit allows the organization to store, sale, offer for sale, furnish, or allow the consumption of an alcoholic product on the event premises. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Public Hearing

Commissioner Downs made a motion to open a public hearing. Commissioner Millburn seconded the motion. All voted aye.

Appeal of Conditional Use Permit application for

Scott Hess, Davis County Planning Office, stated the appeal for discussion today deals with a Conditional Use Permit application for a spook alley located on Boynton Road in unincorporated Davis

spook alley
located on
Boynton Road

County. The Planning Commission’s denial was based on the amount of work to do on the property and the concern that the applicant would not be able to complete it on time prior to opening. There were a number of neighbors who came out to the Public Hearing stating their opposition to the event. The majority of the public comment was in regards to existing trespassing issues that surrounding property owners have dealt with for years. An onsite review was made on July 17 and a second one on August 8. It was impressive at the good faith efforts accomplished by the applicant for items noted that must be completed before any further consideration could be given.

Jared Peterson, spokesperson for the spook alley group, stated many neighbors have been helpful. We are modifying the times during the week to be from 7:00 – 10:00 pm and Friday & Saturday 7:30 to 11:30 pm. They will be no fire pits and no smoking on the premises. Approximately 800 LED lights will be installed and stationary guides will be along the trail. Security will be provided and EMT’s will be available. The parking will be monitored.

Barry Burton, Davis County Planning Director, stated that the issues of concern are being resolved. It is a unique use and a one-time use approval would be the recommendation. They need to pull the trigger for starting the advertising.

Sheriff Richardson stated he has visited the area and is ok with the traffic plan and the overflow parking area. A emergency response plan has also been provided.

Commissioner Downs made a motion to close the public hearing. Commissioner Millburn seconded the motion. All voted aye.

Overturn the
Denial -
Approval of
Conditional
Use Permit for
spook alley
located on
Boynton Road

Commissioner Millburn made a motion to overturn the denial, approve and allow the conditional use permit contingent upon all the elements of safety being met, the site to be inspected by staff one week prior to event to decide it is ok or not, and making it a one-time permit. Commissioner Downs seconded the motion. All voted aye.

Chairman Petroff stated he normally, as a city council member and Mayor, would go with the recommendation of the Planning Commission. However, he has talked it over with Scott and feel the Planning Commission would support this change as well. Scott will inform the Planning Commission.

Budget Change
as required for
IRS Subsidy
reduction due
to sequestration

Steve Rawlings, Davis County Clerk/Auditor, presented the budget change as required for IRS Subsidy reduction due to sequestration. It is to decrease line item 10-4150-620 Contingency by \$70,820.00; increase 10-4150-910 Fund 10 Tfer Out by \$70,820.00; increase line item 32-3360-010 Admin RZB Int Pmt by \$39,270.00; increase line item 32-3820-000 by \$39,270.00; increase line item 33-3610-010 Flood BAB’s Int Pmt by \$31,550.00; and increase line item 33-3820-000 Tfer In Fund by \$31,550.00. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor’s Office.

Commissioner Millburn made a motion to convene as the Board of Equalization. Commissioner Downs seconded the motion. All voted aye.

Property Tax
Register
approved

Dale Peterson, Davis County Tax Administration Director, presented the property tax register. The register reflects 24 property tax valuation appeals for approval and 15 corrections. Commissioner Downs made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Commissioner Downs made a motion to reconvene the regular commission meeting. Commissioner Millburn seconded the motion. All voted aye.

Commission
Meeting
Minutes
approved

Commissioner Downs made a motion to approve the commission meeting minutes of July 23 and July 30, 2013. Commissioner Millburn seconded the motion. All voted aye.

Check registers
approved

Check registers as prepared by the Clerk/Auditor’s Office were approved with a motion from Commissioner Downs. Commissioner Millburn seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

No commission comments.

No public comments

Meeting adjourned.